

**CHARTER TOWNSHIP OF ELMWOOD  
PLANNING COMMISSION  
REGULAR MEETING**

**Tuesday, March 8, 2022 at 7PM**

**Location: Township Hall (10090 E. Lincoln Road, Traverse City, MI)**



**Commission  
Members:**

Rick Bechtold, Chair

Jeff Aprill, Vice-  
Chair

Jonah Kuzma,  
Secretary

Doug Roberts

Kendra Luta

Nathan McDonald

Chris Mikowski

- A. Call to order – 7:00 PM
- B. Pledge of Allegiance
- C. Roll Call
- D. Limited Public Comment-**Only on Agenda Items**- See Rules on Agenda
- E. Agenda Modifications/Approval
- F. Minutes – February 15, 2022
- G. Consent Calendar: Approve/Receive and File  
Correspondence/Informational Session(s)  
ZA Monthly Report
- H. Declaration of Conflict of Interest (*Items on the Agenda*)
- I. Old Business
  - 1. SPR 2022-01, Kaiser Building, Motel, 13356 S West-Bay Shore Drive
  - 2. Workshop Discussion – Date and Agenda Items
- J. New Business
  - 1. Extension Request – SUP/SPR 2021-06 TC Whiskey Distillery Tasting Room 9440 S. Center Hwy. #45-004-008-009-00 & #45-004-008-010-40 (approved on 6/24/21 (minutes approved 7/7/21))
- K. Comments from the Chair
- L. Comments from Planning Commissioners
- M. Comments from Staff
- N. Public Comment-Any Items- See Rules below
- O. Adjourn

**Public Comment Rules:**

This is an input option. The Commission will not comment or respond to presenters. Silence or non-response from the board should not be interpreted as disinterest or disagreement by the board.

- Speakers are asked, but not required, to identify themselves by name and address
- Limit comments to 3 minutes for limited public comment and 2 minutes for public comment at the end of the agenda
- Comments shall be addressed to the chair, not individual board members or others in the audience







**Charter Township of Elmwood  
Planning Commission  
Regular Meeting  
February 15, 2022  
7:00 PM**

- A. Call to Order:** Chairman Bechtold called the meeting to order at 7:00 PM.
- B. Pledge of Allegiance:** The Chair led the Pledge of Allegiance.
- B. Roll Call: Present:** Chris Mikowski, Kendra Luta, Rick Bechtold, Jeff Aprill, Jonah Kuzma, Nate McDonald  
Excused: Doug Roberts
- D. Limited Public Comment:** None
- E. Agenda Modifications/Approval:** MOTION BY COMMISSIONER APRILL, SECOND BY COMMISSIONER MCDONALD TO APPROVE THE AGENDA WITH CORRECTION OF MINUTES DATE. MOTION PASSED 6-0.
- F. Minutes- January 18, 2022:** MOTION BY COMMISSIONER LUTA, SECOND BY COMMISSIONER KUZMA TO APPROVE THE MINUTES OF JANUARY 18, 2022 AS PRESENTED. MOTION APPROVED UNANIMOUSLY.
- G. Consent Calendar:** MOTION BY COMMISSIONER APRILL, SECOND BY COMMISSIONER LUTA TO FILE THE CONSENT CALENDAR AS PRINTED. MOTION APPROVED UNANIMOUSLY.
- H. Declaration of Conflict of Interest:** Commissioner Aprill stated he was friends with some of the members of the Masonic club but had no monetary gain. No conflict was found.
- I. Old Business:** None
- J. New Business:** 1. SPR 2022-01, Kaiser Building, Motel, 13356 S. West-Bay Shore Drive.

The Chair noted the structure is in the commercial area. In the 70's and 80's, the structure was a residence and then the family donated it to the Mason's, they built the Masonic Lodge in the area behind it and in the early 90's the Masonic Building Committee went before the



Zoning Board of Appeals and requested a change in status of that parcel because at that time you could only have a parcel being used for one thing and they wanted to use it as a commercial piece of property because they had people interested in conducting business there. The ZBA granted the variance so they could use the structure as a commercial operation and therefore, the residential use was eliminated. Currently it's been used as a rental. It's considered a commercial building and is located in the General Commercial Zoning District. They have the document Staff prepared and the application for the project.

Wilson Brott, member of the Mason's, presented the application and the desire to use the structure on the front of the property as a motel.

The Commissioners went through the application and due to the number of conditions required, it was decided the applicant would address those and bring it back before the Commissioners at the March meeting.

**MOTION BY COMMISSIONER APRILL, SECOND BY COMMISSIONER MCDONALD TO POSTPONE SPR 2022-01, KAISER BUILDING, MOTEL, 13356 S WEST-BAY SHORE DR UNTIL THE MARCH MEETING. MOTION APPROVED UNANIMOUSLY.**

**2. Next Meeting Discussion:** The Chair noted he would not be available for the meeting March 15, 2022.

**MOTION BY CHAIRMAN BECHTOLD, SECOND BY COMMISSIONER LUTA TO MOVE THE NEXT MEETING TO MARCH 8, 2022.**

**DISCUSSION**

**MOTION APPROVED 6-0.**

**3. Workshop Discussion:** The Chair noted a number of years ago, when they updated the handbook, they added a third category of meeting which was a workshop meeting and the thought behind that was, that would be a public meeting where the Commission could come and take a topic or two and discuss them in detail and really do some planning. There



would still be a public comment at the end of the meeting. He said he found them quite useful. He understands that's another meeting, but it gives them the chance to conduct business they don't get done because of full agendas. He thought one idea would be to make sure they're all comfortable with how they go through Site Plan Approvals and Public Hearings.

Staff said she has been developing a document regarding suggested changes to the Zoning Ordinance and would like some input on whether or not to put those forward.

**K. Comments from the Chair:** Chairman Bechtold thanked the Commissioners for their review and hard work on the meeting. He appreciates their thoughts and thanked them for their comments. He also noted he'd be having surgery next month and appreciates them moving the meeting date up.

**L. Comments from Planning Commissioners:** Commissioner McDonald wished the Chair luck on his recovery.

**M. Comments from Staff:** None

**N. Public Comment:** None

**O. Adjourn: MOTION BY COMMISSIONER KUZMA, SECONDED BY COMMISSIONER LUTA TO ADJOURN MEETING AT 8:25 PM. MOTION PASSED UNANIMOUSLY.**







# **SAVE THE DATE**

**Wednesday April 27, 2022**

**Starting at 6:30 pm**

## **Topics Covered:**

- . Right to Farm**
- . Zoning & Planning for Successful Agriculture in Your Community**

Meeting will be held at the  
Leelanau County Government Center  
8527 E Government Center Dr.  
Suttons Bay, MI 49682

**No  
Cost**

**Everyone  
Welcome**

Annual Session hosted by the  
Leelanau County Planning Commission

**Please RSVP to the Leelanau County Planning Department  
Call (231)256-9812 or email [planning@leelanau.gov](mailto:planning@leelanau.gov)**









EGLE / TRAINING AND WORKSHOPS

### Environmental Calendar, Events and Training

EGLE hosts conferences, workshops, and webinars, and develops on-demand training to educate customers on environmental requirements, sustainability practices, and other topics related to the protection of Michigan's environment and public health. To request an EGLE staff professional to speak at your event or organization, submit a [Speaker Request Form](#).

[Join our Event Notification Email List](#)



[View the interactive EGLE Calendar.](#)

Receive updates on decisions before the Director, proposed settlements of contested case, administrative rules promulgation, public hearings, and environmental trainings.

[Sign up to receive weekly notifications](#)

### Featured Event



### Featured Webinar Series

- [EGLE Waste Webinar Series](#)
- [Environmental Emergency Preparedness and Response Webinar Series](#)
- [Local Leaders Webinar Series](#)
- [NotMISpecies Webinar Series](#)
- [Remediation and Risk Management Series](#)
- [School and Child Care Facility Water Quality Series](#)

### Upcoming Events

#### MARCH

- [Mar 1, 9-10:15AM: Consumer Confidence Reports \(CCR\) - Webinar](#)
- [Mar 2, 1-2PM: Catalyst Communities: Electric Vehicle Planning Resources for Communities](#)
- [Mar 3, 10-11:15AM: Surface Water Treatment Webinar: Emergency Response](#)
- [Mar 8, 9, 10: Water Distribution Short Course](#)
- [Mar 15-16: 2022 Upper Peninsula Materials Management Forum \(Virtual\)](#)
- [Mar 16, 1-2PM: Get the Water Moving & BMPs for Water Quality in School and Child Care Facilities](#)
- [Mar 22, 9-11:15AM: Drinking Water Treatment Series - Basic Math, Rules and Regulations, and Source Water](#)

### Other Training Opportunities

- [PAST EVENTS AND WEBINARS - Recordings and Materials](#)
- [Construction Storm Water Operator and SESC PRD Training](#)
- [Drinking Water Operator Training and Certification](#)
- [Industrial Storm Water Certified Operator Training/Exam and Recertification](#)
- [Wastewater Operator Training and Certification](#)



Mar 24, 12-1PM: Smarter EHS to Manage Business Risk: A Digital Approach to Efficient Data Management

Mar 24, 9-10AM: Step aboard Michigan's Clean Boats, Clean Waters grant program

Mar 24, 8:30-11:45AM: Drinking Water Treatment Series - Coagulation, Mixing, Flocculation, and Sedimentation

## APRIL 2022

Apr 5, 8:30-11:45AM: Drinking Water Treatment Series - Coagulation Dosage Calculations, Disinfection, Fluoridation

Apr 6, 10-11AM: Fuel Transformation Program Guidelines for Grant Application

Apr 7, 9-11:15AM: Drinking Water Treatment Series - Filtration and Problems

Apr 7, 14, 28: Michigan Lead and Copper Rule Training

Apr 12, 1-3:45PM: Shoreline trends and best management practices for Lake Charlevoix

Apr 12, 9-11:45AM: Drinking Water Treatment Series - Direct Filtration, Membrane Filtration, and Lab Analysis

Apr 13, 1-2PM: Water Management & Water Sampling Plans for Schools and Child Care Facilities

Apr 13, 2-3PM: The Michigan Shoreland Stewards Program: Does your inland lake property qualify?

Apr 14, 1-1:45PM: EGLE Earth Day 2022 Student Webinar: Working Together to Address the Challenge of Climate Change

Apr 14, 9-10AM: New name, familiar pest: Preparing for Lymantria dispar (formerly known as Gypsy moth)

Apr 14, 8:30-10:45AM: Drinking Water Treatment Series - Chemical Feed Systems

Apr 20-21: Michigan Environmental Compliance Conference (In-person)

Apr 26, 1-2PM: Catalyst Communities: Lessons Learned in Creating a Municipal Climate Action Plan

Apr 26, 9-11:15AM: Drinking Water Treatment Series - Operator Duties and Ethics, Water Storage, and Pumping Systems

Apr 27, 9-10:30AM: Revised Total Coliform Rule (RTCR)

Apr 28, 9-10:15AM: Drinking Water Treatment Series - Corrosion Control

## MAY 2022

May 10-11: Great Lakes Water Infrastructure Conference (Virtual Event)

May 12, 9-10AM: Clean it up, drain it out, dry it off: Boating hygiene for the 21st century

May 18, 1-2PM: Monitoring School & Child Care Facility Drinking Water for Contaminants

May 24-26: Great Lakes AOC Conference (In-person)

## JUNE

Jun 16, 10-11:15AM: Surface Water Treatment Webinar: Introduction to Membrane Filtration

Jun 29-30: Environmental Emergency Management Conference (In-person)



To: Elmwood Township Board

From: Sarah Clarren, Planner/Zoning Administrator

RE: February 2022 Planning and Zoning Report

PERMITS:	2/2022	2/2021	YTD 2022	YTD 2021
Single Family Dwelling	2	0	2	2
Attached SFD	0	0	0	0
Accessory Building	0	2	1	3
AG Building	0	0	0	0
Residential Addition	1	0	1	1
Deck	1	0	2	0
Sign	0	0	0	0
Commercial	0	0	0	0
Misc.	0	0	0	0
Total Permit	4	2	6	6
Fees Collected	\$281.64	\$60.00	\$341.64	\$344.52

**Zoning Board of Appeals:**

**Past Meeting** – November 2021, mentioned in previous Report

**Future Meeting** – March 2, 2022 – Extension Request – ZBA 2021-01 Request by TCWC Holding Company LLC at 9440 S Center Hwy, Parcel #45-004-008-010-40 for a 10-foot height variance to construct a 45-foot-high portion of the building for equipment used in distillation in the Agricultural-Rural Zoning District.

**Planning Commission:**

**Past Meeting**

- February 15<sup>th</sup>
  - SPR 2022-01, Kaiser Building, Motel, 13356 S West-Bay Shore Drive
  - Workshop Discussion – Date and Agenda Items
  - Extension Request – SUP/SPR 2021-06 TC Whiskey Distillery Tasting Room 9440 S. Center Hwy. #45-004-008-009-00 & #45-004-008-010-40 (approved on 6/24/21 (minutes approved 7/7/21))

**Future Meeting**

- March 8<sup>th</sup>
  - SPR 2022-01, Kaiser Building, Motel, 13356 S West-Bay Shore Drive
  - Discussion on Upcoming Meeting (changing date)
  - Discussion on Workshop

**Office Updates:**

- Continues with Parks & Rec on 5-year update to the Parks & Rec Plan – next meeting 3/9/2022
- ZA continues to work on MSU Zoning Administrator Certificate program – will test by 3/25/22
- STRs. As of 3/2, please note the following:
  - A total of 75 licenses have been issued to complete applications;
  - 3 applications are currently in progress (applicants working on missing items);
  - (1) application has been withdrawn;
  - (1) application did not meet the definition of an STR.







For additional information pertaining to 2022-01 (Kaiser Building – Motel) please see 2/15/22 Planning Commission epacket available online via the following link:

[https://www.leelanau.gov/downloads/packet\\_revised\\_agenda.pdf](https://www.leelanau.gov/downloads/packet_revised_agenda.pdf)







# Reply to questions from the February Planning Commission Meeting

Kaiser Building



Masonic Building Association

Traverse City Lodge 222



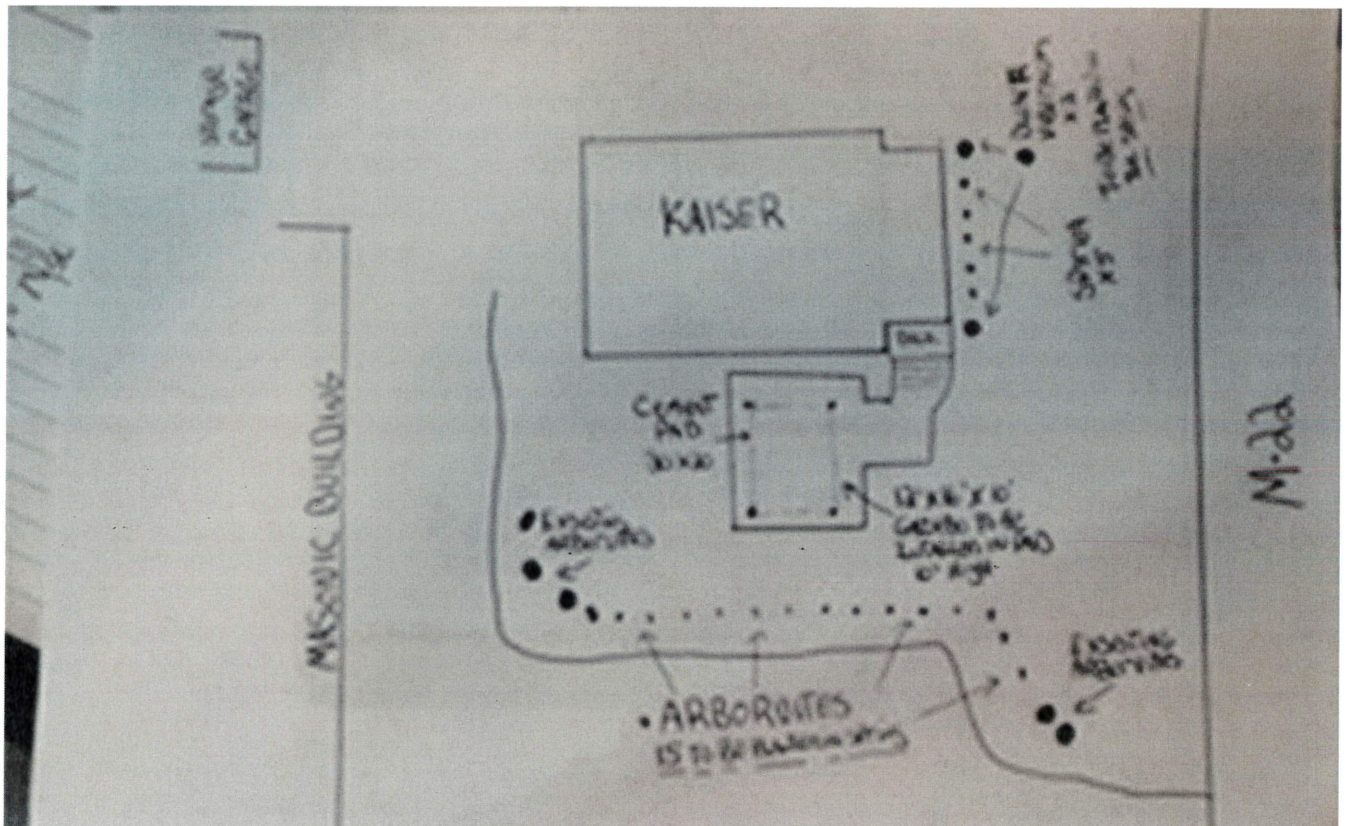
Notarized.



Resolution.Signed  
and Notarized.2.25.22

### 17 & 33. Significant Vegetation:

Please see picture below and the photo attachments



### 18 & 27 Drainage Water, Sewer Gas Lines



Water Drainage, Gas,  
Electric, Sewer, Water

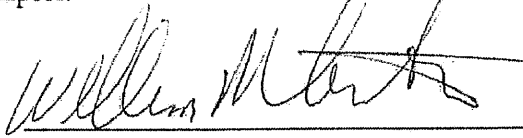


RESOLUTIONS ADOPTED BY THE BOARD OF DIRECTORS  
OF THE  
MASONIC BUILDING ASSOCIATION OF TRAVERSE CITY

The Board of Directors of the Masonic Building Association of Traverse City, on September 27, 2021, hereby adopts the following resolutions:


1. RESOLVED, that the Board of Directors authorizes its Board Member Jeff Brackett to act on behalf of the corporation for purposes of obtaining any necessary permits for the Kaiser House (the residence in front of the Masonic Lodge located at 13360 S. West Bay Shore Dr., Traverse City, MI 49684), and to sign any documents on behalf of the corporation necessary for that purpose.

Dated: 2/25/22

  
William Gustavson  
President

STATE OF MICHIGAN     )  
                                      ) ss.  
LEELANAU COUNTY     )

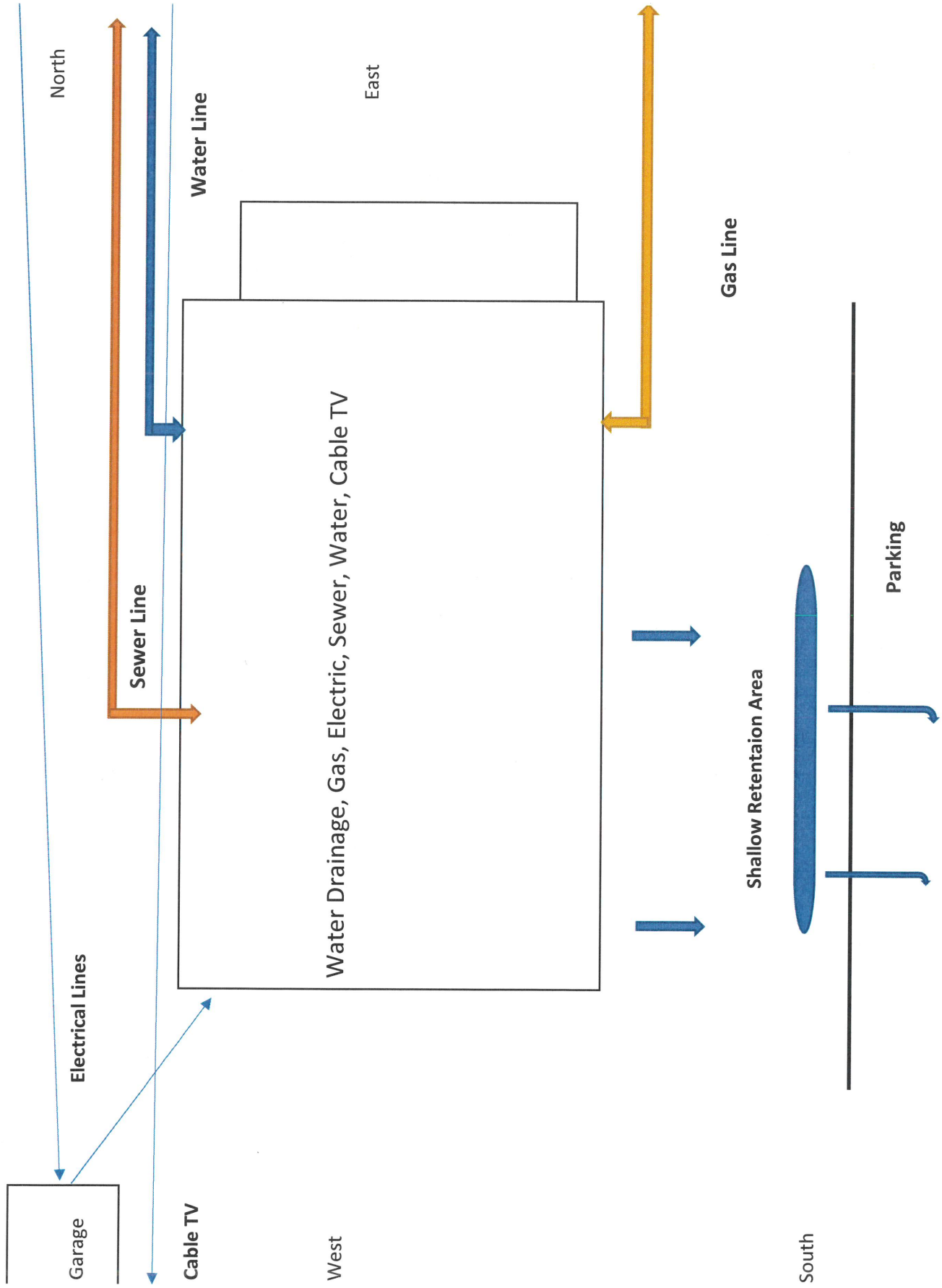
Subscribed and sworn to before me by William Gustavson on February 25, 2022.

  
Wilson D. Brott, Notary Public  
Grand Traverse County, Michigan  
My commission expires: 08/25/2024  
Acting in Leelanau County, Michigan.















**19. Structure Height.**

22'6"

**21. Evaluation**

Please see attached drawings – evaluation

**24 & 31 Lighting**



Front Door





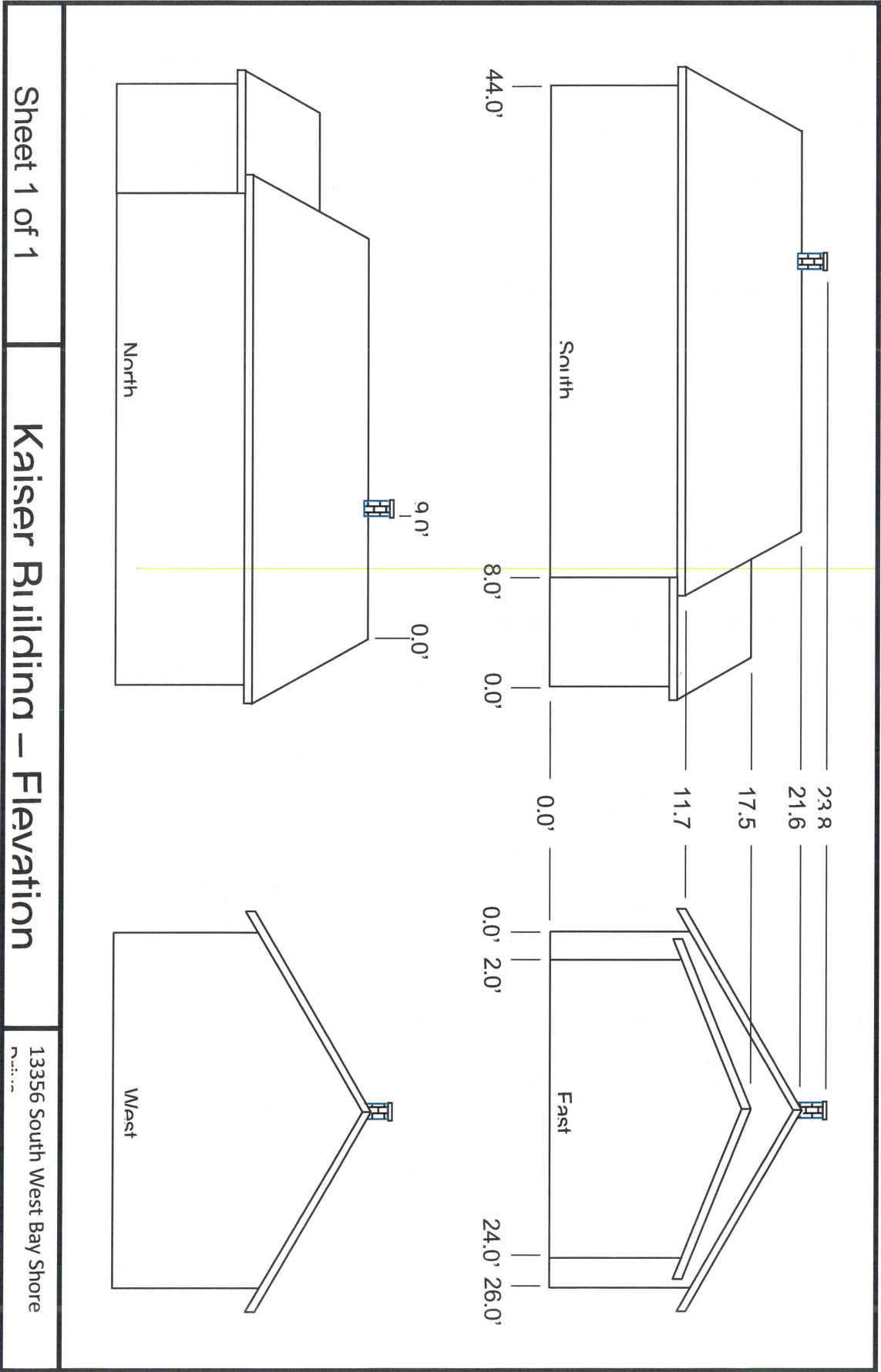
Back Door

### 34. Bin Location



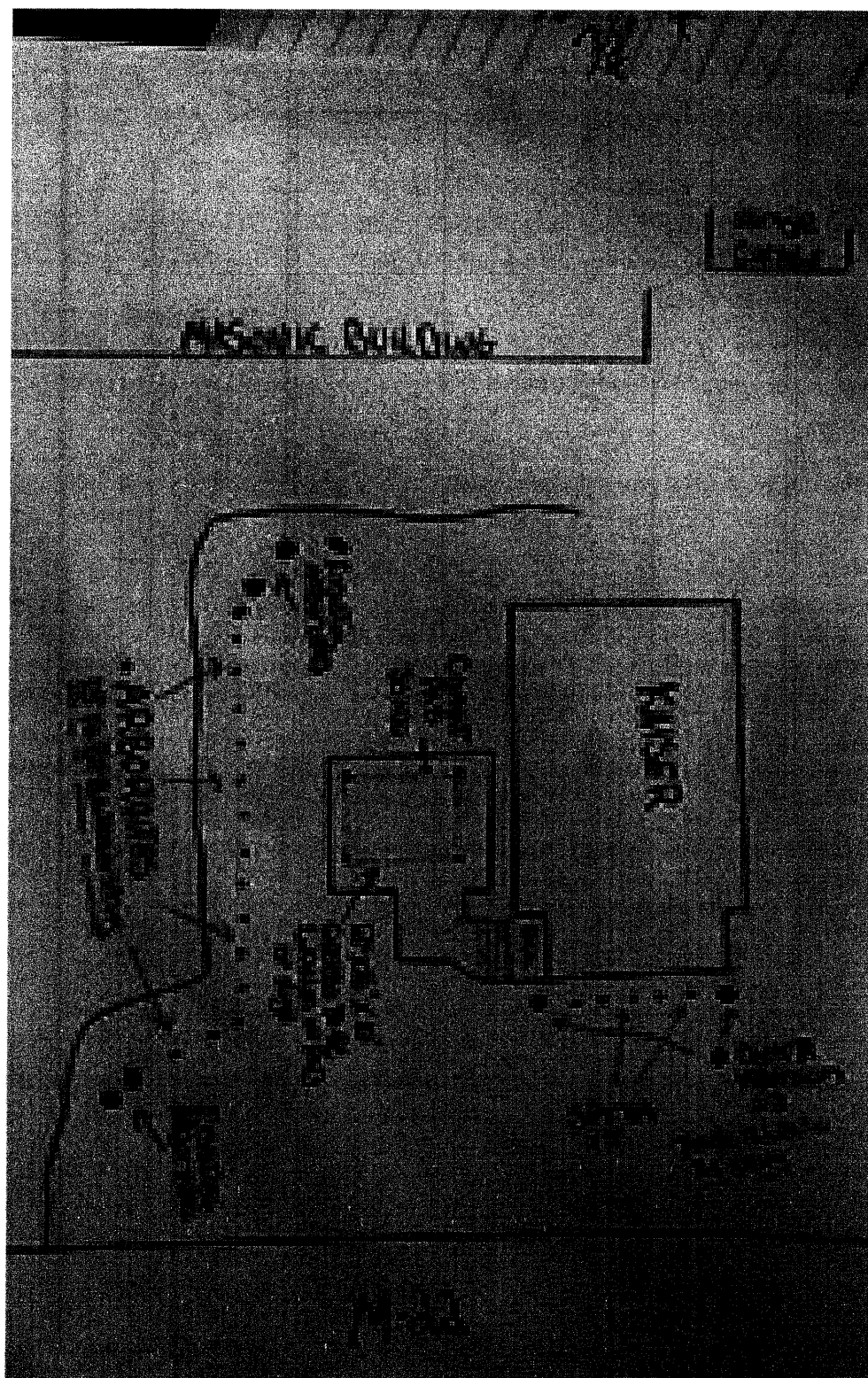


Elevations





## Plantings & Gazabo





Garage

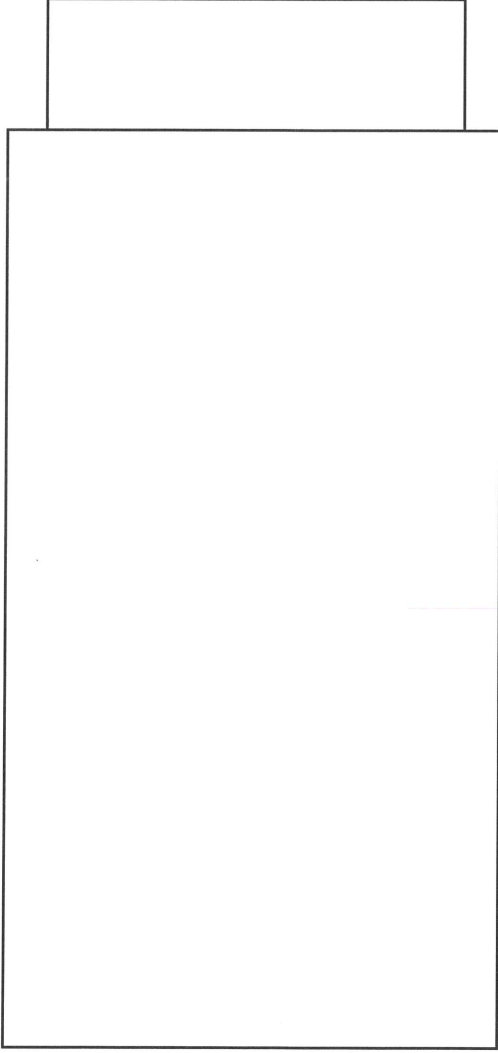
North

Dwarf Viburnum

5 Spires

East

Dwarf Viburnum

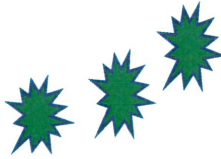


West

Gazebo 12' x 16' x 10' high  
to be installed on concrete  
pad.

Plantings will occur in the spring

Existing Arborvites



15 Arborvites



South

Shallow Retention Area



Parking

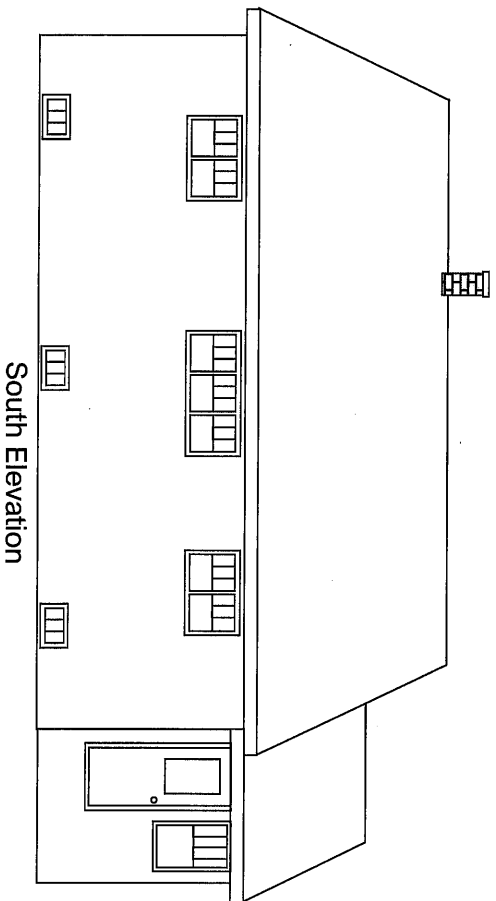
Existing Arborvites



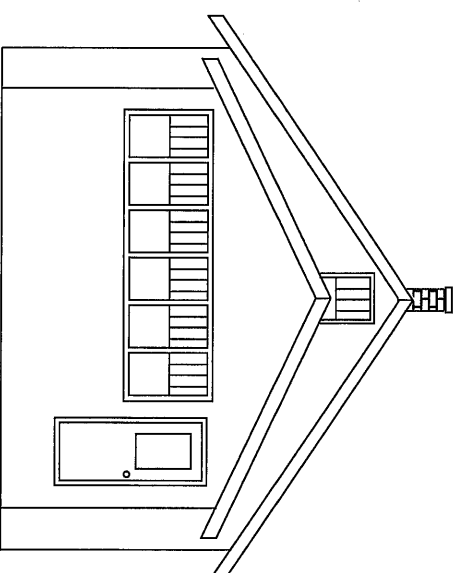




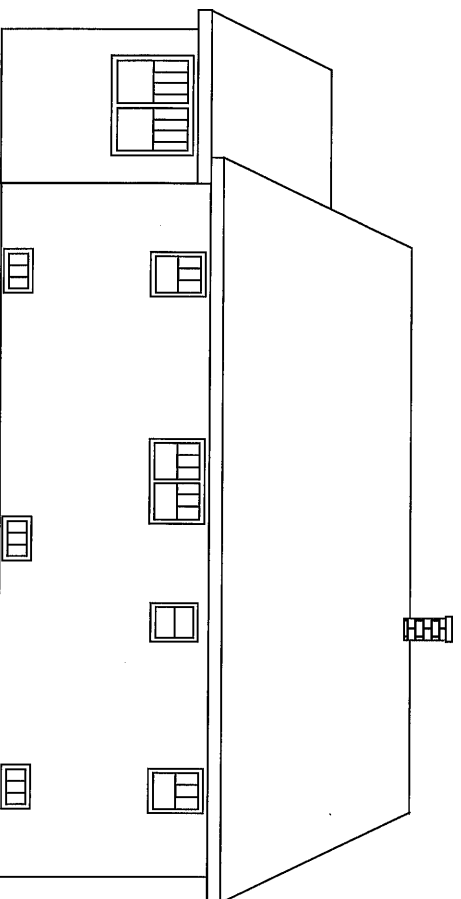




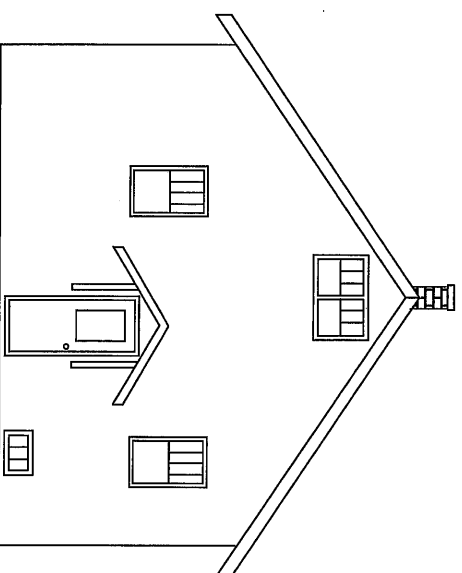
South Elevation



East Elevation



North Elevation



West Elevation

Windows & Doors

Kaiser Building

13356 South West Bay Shore Drive  
Scale 0.1" = 1 Ft. 02/27/2022







To: Elmwood Township Planning Commission  
Masonic Lodge, applicants

From: Sarah Clarren, Planner/Zoning Administrator

Date: January 13, 2022 (last rev. 3/1/2022)

RE: SPR 2022-01, Kaiser Building, 13360 S West-Bay Shore Drive

---

The applicant is requesting approval of a Motel in a General Commercial Zoning District under the Site Plan Review Process. This is an allowed use. In review of this application, it is important to focus on the definitions as found in our Zoning Ordinance, specifically, but possibly not limited to the following:

**Motel.** A building or group of buildings on the same lot, whether detached or attached, containing sleeping or dwelling units, which may or may not be independently accessible from the outside, with garage or parking spaces located on the lot and which offers lodging, with or without meals, for compensation on a transient or periodic basis. The term shall include “hotels” and any building or building groups designated as motor lodges, transient cabins, rooms, or by any other title intended to identify them as providing lodging, with or without meals, for compensation on a transient or periodic basis.

**Nonconforming Parcel.** A parcel lawfully existing at the effective date of this Ordinance or amendments thereto which does not conform after the passage of this Ordinance or amendment thereto with the area, width, or other applicable provisions of the district in which it is situated.

**Nonconforming Use.** Any building or parcel lawfully occupied by a use at the effective date of this Ordinance or amendment thereto which does not conform after the passage of this Ordinance or amendment thereto with the use requirements of the district in which it is situated.

**Short Term Rental:** A single family dwelling unit, or portions thereof, that is available and licensed and used for accommodations or lodging of guests, paying a fee or other compensation, for a period of less than 30 days at a time when the owner of the dwelling unit does not reside in the dwelling unit during the rental period. Single family dwelling units used and licensed as a short term rental shall not be considered a motel as defined by the Zoning Ordinance.

It is also important to understand the past permitting for this site. To summarize, in 1992, the Masonic Building Association submitted a variance application to the ZBA for 1) to run more than one principal use on one parcel and 2) change the residential use of the old ‘Kaiser House’ to a commercial use. As you may know, single family dwellings are not an allowed use within a GC district. The file indicates that the use had existed prior to zoning and therefore was considered a



pre-existing nonconforming use and therefore would've been allowed to continue as long as it met standards set forth in Article 10 (Nonconformities). Ultimately, the ZBA granted the variance which changed the pre-existing nonconforming use of the Kaiser House (single family dwelling) to a conforming use (commercial, to be rented out to a business known as 'The Computer Doctor).' In other words, the use became conforming and the structure was no longer considered a residential use; per Section 10.2.D, "Any nonconforming use changed to a conforming use shall not thereafter revert to any nonconforming use." In the file for the parcel, there is a Memo dated December 18, 2000 from Bill Swanson, the Planner, with the subject 'Minor Site Plan: Leelanau Optical.' Said Memo detailed the change of use and then indicated that Leelanau Optical was interested in renting the building and the change of use from 'computer service' to 'optical service use' and recommended that the proposal would not pose an obstacle to good planning in the Township. In 2005, the Masonic Temple changed the use without approval from the Township to a short term rental. Until recently, STRs were not an allowed use within Elmwood Township (March 20, 2019 ZBA determination; Zoning Ordinance Text Amendment). The applicants applied for an STR License, but as the residential use was eliminated back in 1992 per the request of the owners, the Zoning Administrator cannot issue a License. The applicants reviewed permitted uses within the Township and submitted an application for Site Plan Review for a Motel. Motels are an allowed use, under Site Plan Review, within the GC Zoning District. The Planning Commission must now determine if the project meets the requirements and standards set forth within the Zoning Ordinance for Site Plan Review for a Motel.

With their application, they have submitted the following items:

- 1) An application submitted 12/29/2021 which contains:
  - a. An undated letter providing detail on the request (some inaccuracies exist; see above ZA detail on past permitting);
  - b. Warranty Deed dated 11/12/1976;
  - c. An undated picture of the structure;
  - d. An aerial screenshot of the direct abutters;
  - e. An interior floor plan of the structure;
  - f. A survey by Gourdie Fraser & Associates dated 6/27/1977 and revised 5/29/1972.
  - g. PNG showing highlighted changes to the above referenced survey
  - h. Address verification form
  - i. Google maps image, undated
  - j. Pictures of the "waste bin" [dumpster], and "parking looking at the bay," undated
  - k. Responses to the ZA's review of the application, which is incorporated in this document (see non-bolded, light green highlighted text)
  - l. (new) Websoil Survey – provided by ZA
  - m. (new) FEMA FIRMette – provided by ZA
  - n. (new) Reply to questions from February PC Meeting (undated) Rec. 2/28/22)
  - o. (new) Windows and Doors Plan dated 2/27/22. Rec. 3/1/22
  - p. (new) Undated and Untitled Planting plan Rec. 3/1/22

For reference on past permitting of the site, I will also be including the below items in the packet:

- i. Land Use Permit 1992 – Denied



- ii. 1992 ZBA Application and minutes
- iii. 1992 Land Use Permit issued
- iv. 2000 Memo regarding Change of Use

## SECTION 5.5 SPECIAL REQUIREMENTS FOR SPECIFIC USES

In addition, to other applicable requirements, as contained in this Ordinance, the following specific land uses shall also comply with the following:

### F. Motels

1. In all districts except RR, the total number of rooms shall be limited to one hundred and fifty (150). **This has been met; four bed/rooms are requested.**
2. A restaurant, banquet rooms, or conference space shall be permitted with the addition of adequate parking. **Not proposed.**

## SECTION 8.4 REQUIREMENTS FOR SITE PLAN APPROVAL

The following information shall be provided with the site plan as indicated, unless waived by the Zoning Administrator when such information is not applicable. The site plan must be drawn at a scale of one (1) inch equals one hundred feet (1"=100') or less. Required site plan elements shall include:

1. Applicant's name, address, and telephone number. **Provided.**
2. Property owner's name, address, telephone number, and signature. **Provided\***
3. Proof of property ownership, and whether there are any options or liens on the property. **Provided.**
4. A signed and notarized statement from the owner of the property that the applicant has the right to act as the owner's agent. **Statement is signed, not notarized. 3/1: Resolved**
5. The address and/or parcel number of the property, complete legal description and dimensions of the property, width, length, acreage, and frontage. **\*Address is stated as 13356 S West-Bay Shore Drive, but per the Leelanau Tax Parcel viewer, that address does not exist. Applicant should confirm address with the County. If the County does not have record of the address, an address permit can be filed with the County. Address was confirmed when we applied for a permit to remove the ramp and install stairs. Please see attached address verification form. Provided.**

**Legal Description is included on 1977 survey; frontage isn't provided—approx. 136'; east side lot length not provided—approx. 487'; acreage – 1.90. Township has on record the updated 1992 survey. Provided.**



6. Seal of the registered engineer, architect, and landscape architect who prepared the plan, as well as their names, addresses, and telephone numbers. **Provided on 1977 plan. Township has on record the updated 1992 survey. Provided.**
7. Project title or name of the proposed development. **Provided – Kaiser Building**
8. Statement of proposed use of land, project completion schedule, and any proposed development phasing. **Provided.**
9. Statements regarding the project impacts on existing infrastructure, including traffic, schools, existing utilities, and the natural environment on and adjacent to the site. **States there is no impact.**
10. Total number of units, employees, bedrooms, offices, total and usable floor area, amount and type of recreation or open space proposed, and similar information required to evaluate compliance with the Ordinance. **Highlighted items are not provided. Units: 4 bedrooms; employees: 0, MBA officers handle tenet needs, renters use self check in/out, Offices: Office is located in Masonic Building; Total usable floor space: Approximately 1,314 sq ft; Open space: 20' x 20' concrete pad on south side of building for barbecuing and socializing as well as use of front and south side yards. Now provided.**
11. A vicinity map showing the area and road network surrounding the property. **Not provided. Please refer to attached Google Maps view of the property and surrounding roadway. Provided.**
12. The gross and net acreage of the parcel. **Gross is 1.90 (per tax parcel viewer); see number 10 for sq. ft of structure.**
13. Land uses, zoning classification, and existing structures on the subject parcel and adjoining parcels. **Not provided. The immediate surrounding area is zoned General Commercial. The Building north of the Kaiser building is office rentals, the property south is in development and is thus vacant. The Masonic Lodge utilizes the building west of the Kaiser Building. Fully answered, with noting the following: bayside properties are zoned Shoreline Commercial. Parcel to the south is permitted a private marina (bayside) with a parking lot on the landward of M22.**
14. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines, and monument locations. **Provided on 1992 plan.**
15. Existing topographic elevations at two (2) foot intervals, except at five-foot intervals where slopes exceed 18%. **Not provided, but no external changes**



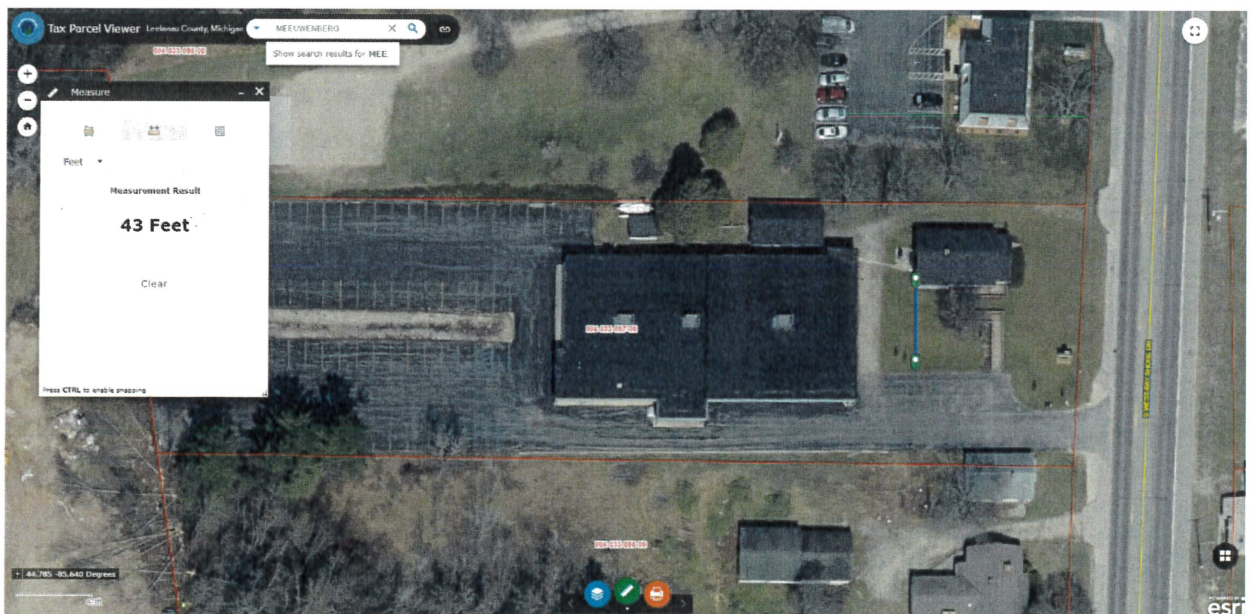
**proposed to current conditions. Correct; there are no changes proposed to the topographic elevations. On 2/15, PC discussed waiving this.**

16. The location and type of existing soils on the site, and any certifications of borings. **Not provided. Not applicable as no changes are to be made to the land. On 2/15, PC discussed waiving this; ZA has/will attached USDA soil report.**
17. Location and type of significant existing vegetation. **Not provided. The yard is grass covered, there are seasonal flowers planted under the sign. Revised Site Plan/additional plan needed showing all proposed plantings (i.e. arborvitae, etc.). 3/1: This has now been provided on an excel drawing. Note that it is not to scale and the orientation differs from plans submitted. This comment is applicable to #29 and 33 as well.**
18. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, floodplains, wetlands, and sand dunes. **Not provided. Not applicable as there are no changes from existing area. ZA will not waive this requirement. Commission should decide if this is needed. 2/15- Commission suggested noting where drains are. ZA will provide FEMA FIRMette showing floodplains. 3/1: Applicants provided sketch from DPW and submitted an excel drawing of utilities/drainage area.**
19. Location of existing and proposed buildings and intended uses thereof, as well as the length, width, and height of each building or building envelope. **Not provided. Not applicable, this question is for new construction. There are no changes of existing structure or new construction planned. This question is applicable as it explicitly requests information regarding existing information and intended uses thereof; much of this info is found on the old survey, but not the height. 2/15 – PC wants height noted. 3/1: resolved in elevation drawing provided.**
20. Proposed location of all proposed structures, buildings, equipment, and uses. **Provided.**
21. Elevation drawings of typical proposed structures and accessory structures. **Not provided, existing building. Not applicable as application is for existing structure The Commission has the right to request this information as understanding the structure (see standards of review and approval) 2/15 – PC needs elevation drawing 3/1: elevation drawing provided.**
22. Location of existing public roads, rights-of-way, easements of record, and abutting streets. **Provided.**
23. Location and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration, and passing lanes, including those



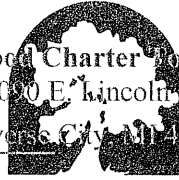
within 100 feet of the property. **Not provided, none requested?** *Please refer to the attached Google Maps view. It shows M 22 running north/south with a center turn lane. PC discussed accepting info provided.*

24. Location, design, and dimensions of existing and/or proposed curbing, barrier-free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes, and all lighting thereof. **Some detail shown on 1977 plan, not all.** *The 1992 survey shows some of these questions. The Google Maps view is a recent view. It shows the paved parking south and west of the Kaiser Building, the fire lane, entrance/exit from M 22. In keeping with dark skies there are porch lighting on both front and back doorways, and on the sign. PC wants location of lights noted on a plan and pictures. 3/1: Pictures provided, not shown on plan. 3/1 new note – according to aerial from 2017, parking plan is not accurate; The survey notes that the distance between the parking area closest the kaiser building is 12' when an aerial shows it to be closer to 43'*



25. Location, size, and characteristics of all loading and unloading areas. **Not provided.** *Tenets will load/unload at either front or rear doorways. Resolved.*
26. Location and design of all sidewalks, walkways, bicycle paths, and area for public use. **Not provided.** *There are no sidewalks on M 22, there is a lane on the west side of the road for postal deliveries. M 22 has a bike lane on the east side of the road. Resolved.*
27. Location of water supply lines and or wells, including fire hydrants and shut off valves; and the location and design of storm sewers, retention or detention ponds, waste water lines, and clean-out locations; and connection points and treatment





- systems (including septic system if applicable). **Not provided.** *This question appears to address new construction. The existing utilities remain as they have for several years. PC wants a plan showing this. May be able to obtain information from DPW. 3/1: applicant submitted sketch from DPW. Also created 'plan' in excel showing utilities on front portion of site. Not drawn to scale.*
28. Location of all other utilities on the site, including, but not limited to, natural gas, electric, cable TV, telephone, and steam. **Not provided. 3/1: applicant created 'plan' in excel showing utilities on front portion of site. Not drawn to scale.**
29. Proposed location, dimensions, and details of common open spaces, and common facilities such as community buildings or swimming pools, if applicable. **Not provided. Not applicable. Applicable; applicants indicate that there is a 20' x 20' patio which would be used by guests (not sure that this is shown on the plan). 2/15 – revised plan needed showing all common elements proposed for the motel (including gazebo mentioned at meeting). 3/1: applicant created 'plan' in excel showing utilities on front portion of site. Concerns about plan raised in #17**
30. Location, size, and specifications of all signs and advertising features, including cross-sections. **Not provided.** *The sign located on the front yard of Masonic Lodge and has existed since 1977 is for the use of the Lodge and not for the Kaiser Building. Commission should confirm that no signage is proposed for the motel. 3/1 – by confirm, ZA means condition.*
31. Exterior lighting locations, with area of illumination illustrated as well as the type of fixtures and shielding to be used. **Not provided.** *Exterior lighting is on the west and south entrances. These lights are porch lights and are utilized to illuminate the immediate area of each entrance. Pictures should be provided and location should be shown on plan. 3/1: pictures provided, location not shown on plan.*
32. Location and specifications for all fences, walls, and other screening features, with cross sections shown. **Not provided.** *Not applicable, there is no wall, fence or screening around the Kaiser building. As discussed on 2/15, fencing onsite doesn't go around proposed motel; fences onsite are 6' and pictures have been provided.*
33. Location and specifications for all proposed perimeter and internal landscaping and other buffering features. The proposed sizes of landscape materials (not previously existing) must be indicated. All vegetation to be retained on site must also be indicated, as well as its typical size by general location, or range of sizes as appropriate. **Not provided.** *Not applicable no changes in current landscaping. On 2/15, applicants stated there would be plantings; plan showing plantings*



**should be provided. 3/1: applicant submitted excel plan of vegetation – Concerns about plan raised in #17**

34. Location, size, and specifications for screening of all trash receptacles and other solid waste disposal facilities. **Not provided.** *A photo of the garbage bin. was included in the STR license application. Please see the attached photo. The bin is large and is located behind the Masonic Lodge. PC wants location of proposed Motel's bin shown on plan. 3/1: picture submitted, not shown on plan.*
35. Location and specifications for any existing or proposed (above or below ground) storage facilities for any chemicals, salts, flammable materials, or hazardous materials. Include any containment structures or clear zones required by county, state, or federal government authorities. **Not provided. Not applicable. Resolved.**
36. Identification of any significant site amenities or unique natural features, and whether they will be preserved. **Not provided. Not applicable as no changes to existing property. This is applicable (see FIRMette)**
37. North arrow, scale, and date of original submittal and last revision. **Provided.**

**Zoning Administrator Notes:**

- 1) **The parking shown on the 1992 plan goes above what is allowed per our current Zoning Ordinance. It's pre-existing, but the Commission should discuss, and the applicant should be made aware of SECTION 6.1.7 of the Ordinance which states:**

“Existing Parking Conditions Any use that meets the parking requirements of this Ordinance at the time of site plan approval shall continue thereafter to comply with all parking requirements hereof. Upon expansion of an existing use or structure, any nonconforming parking lot shall be required to comply with the parking requirements in place at the time of the expansion of the use or structure.”

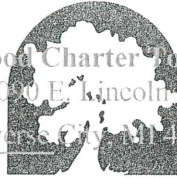
**(3/1: Per ZO, Section 6.2.H.1.a,** “To minimize excessive areas of pavement, which detract from the aesthetics of an area and contribute to high rates of storm water runoff, the total number of parking spaces provided for any nonresidential parking area constructed after adoption of this Ordinance shall not exceed one hundred twenty five percent (125%) of the parking required under this Article, unless specifically authorized by the Planning Commission through the site plan review process of Article 8, Site Plan Review.”

**Other likely relevant sections of the Zoning Ordinance.**

**SECTION 6.1.3 Spaces Required**

- A. The following schedule contains the parking requirements for individual uses and activities within the township.





USE	MINIMUM NUMBER OF SPACES REQUIRED
Motel	1 space for each occupant unit plus 1 space per employee on largest shift

**A. Pedestrian and Non Motorized Circulation.**

1. For all uses other than residential, off-street parking areas shall be designed to safely accommodate pedestrian circulation and access to the primary use.
2. Where a parking area is adjacent to a bike path or sidewalk along the right-of-way, the site shall be designed to provide hard surface access from the bike path or sidewalk onto the site.
3. As a condition of Site Plan approval and consistent with the provisions regarding Site Plan review and the imposition of conditions of approval, the Planning Commission can require the installation of bicycle facilities, such as bike loops, bicycle parking pads, and related signage.

**B. Parking Spaces for the Disabled.** All parking areas shall conform to the requirements of the Americans with Disabilities Act and any other accessibility requirements in effect at the time. These spaces shall be included in the calculations for meeting the parking requirements of this Article.

**SECTION 6.1.4 Off-Street Parking Development**

8. To further the goals of the Greilickville Sub Area Master Plan, all new or redeveloped properties along M22 shall connect parking areas to adjacent parking areas where feasible.

**SECTION 6.1.5 Snow Storage**

- A. Whenever an off-street parking lot is two thousand seven hundred (2,700) square feet or larger, provision shall be made for on-site snow storage in addition to the required parking lot. Snow storage shall be provided in the ratio of ten (10) square feet of storage area per one hundred (100) square feet of parking lot surface area.
- B. Snow storage areas shall be located so they do not interfere with clear visibility of traffic on internal roads or drives, adjacent streets, and highways.
- C. Snow storage areas shall not interfere with emergency vehicle access.

**SECTION 6.3 OUTDOOR STORAGE AND PRIVACY FENCES**

All loading and unloading areas, waste receptacles, and outside storage areas which face or are visible from residential districts or public streets, shall be screened by a vertical screen consisting of a solid masonry enclosure or wood enclosure no less than six (6) feet in height. The finished side of any wall, fence, or other screen shall face adjacent properties.



## SECTION 6.4 LANDSCAPING

### SECTION 6.4.1 Intent and Applicability

- A. Intent. The intent of this Article is to promote the provision of adequate vegetative landscaping and buffering to improve aesthetics; to reduce potential light and noise nuisances; to reduce impervious surface area; to retain existing naturalized vegetation; to improve filtration of storm water runoff; and to provide shade in parking areas.
- B. Applicability
1. The requirements in this Section shall apply to all applications that require a site plan review.

### SECTION 6.4.2 General Landscaping Requirements

- A. Landscaping shall be comprised of species chosen for the site's specific condition (soil type, hydrology, hardness, etc). Factors to be considered in determining species shall include the ability to thrive in the proposed location, expected full size of the species, and whether it is poisonous to humans.
- B. Elmwood Township will use the "Recommend Planting Guidelines for Municipalities" as published by the Northwest Michigan Invasive Species Network, as periodically revised, to determine what constitutes a "native species" from an "invasive species".
1. Only "native species" listed under "Recommended Plants" shall be used as plant materials for any type of landscaping.
  2. "Invasive species" shall be removed during development and will not be allowed for landscaping in any non-residential zoning district.
- C. The following minimum plant sizes and spacing shall be provided at time of installation.

Minimum Plant Sizes and Spacing		
Type of Plant Material	Minimum Plant Sizes	Recommended Spacing Requirements
Deciduous Canopy Tree.	2½ in. caliper	25 ft. on-center
Deciduous Ornamental Tree.	2 in. caliper 6' height (clump form)	15 ft. on-center
Evergreen Tree.	6 ft. height	15 ft. on-center
Deciduous Shrub.	2 ft. height	4-6 ft. on-center
Upright Evergreen Shrub.	2 ft. height	3-4 ft. on-center
Spreading Evergreen Shrub.	18-24 in. spread	6 ft. on-center



- D. Landscaping shall be maintained in a healthy, growing condition. Diseased or dead materials shall be replaced within the current or next planting season.
- E. A landscaping plan for a development entranceway shall be submitted to the Planning Commission for review and approval.
- F. Any berms installed in the township shall meet the following requirements:
  - 1. Berms shall be no higher than five (5) feet, as measured from the average grade along the primary road side or along the perimeter of the site (depending on the proposed location).
  - 2. Berms shall have a minimum width of three (3) feet at the crown and shall have a maximum side slope of 2:1.
  - 3. Berms shall undulate or otherwise be designed to avoid an unnatural appearance.
  - 4. Landscaping shall be in naturalized groupings planted along the slopes of the berm.

## **SECTION 6.5 LIGHTING**

### **SECTION 6.5.1 Intent**

To preserve the character of Elmwood Township, the dark night sky, and the restful quality of nighttime by eliminating intrusive artificial light and glare.

To prevent unwanted/undesirable illumination of neighboring properties.

To maintain safe nighttime vehicular and pedestrian traffic.

### **SECTION 6.5.2 Requirements**

- A. All light sources and light lenses shall be shielded and down-facing. Lighting from exposed, bare light bulbs or from bare luminous tubes shall not be permitted.
- B. Lighting shall not be directed off one's property.
- A. There shall be no lighting of a blinking, flashing, or fluttering nature, including changes in light intensity, brightness, or color. Beacon lights, searchlights, or lasers are not permitted.
- B. No lights shall be used in any location or in any manner so as to be confused with or construed as a traffic control device.

### **SECTION 6.5.3 Exceptions**

- A. Safety lighting required by law, such as obstruction lights on tall structures and construction projects.



- B. Farm related lighting for Agricultural Commercial Enterprises as defined in Article 2 of this Ordinance.
- C. Exceeding the height and/or intensity of lighting fixtures as stated in this Section may only be approved by a variance approved by the Zoning Board of Appeals under Article 12.

#### **SECTION 6.5.4 Other Lighting Restrictions**

- A. Internally lit outdoor vending machines may be allowed by the Planning Commission if visually screened from adjacent properties.
- B. All non-residential outdoor lighting fixtures, including display lighting, shall be turned off after close-of-business unless needed for safety or security, in which case the lighting shall be reduced to the minimum level necessary or an infrared sensor security fixture is used.
- C. Any installed parking lot lighting shall comply with the following requirements:
  - 1. All pole-mounted lighting of parking or display areas shall be fully shielded, and in no case shall the light be permitted to extend above the horizontal plane of ninety (90) degrees.
  - 2. Pole mounting height for any outdoor lighting shall not exceed twenty- five (25) feet.
- D. Lighting for a parking area shall be installed so that the light is directed into the parking area only. Parking lot lights shall be extinguished after working hours or shall be placed on an infrared sensor.
  - 3. The applicant will forward copies of the site plan to the Leelanau County Road Commission, Leelanau County Drain Commissioner, Health Department, the Elmwood Township Fire Department, Department of Public Works and Michigan Department of Transportation, as applicable, for their review and comments. Any review comments will be forwarded to the Zoning Administrator. Comment letters shall be provided to the Zoning Administrator prior to application being placed on the Planning Commission agenda for consideration.

#### **SECTION 8.5 REVIEW AND APPROVAL**

- A. **Standards for Site Plan Approval.** The Planning Commission shall make a finding that the following standards are met prior to approving a site plan:
  - 1. All required site plan and application information has been provided as specified in this Article.
  - 2. All required permits and approvals from outside agencies have been secured, or have been made a condition of site plan approval.
  - 3. Adequate essential facilities and services including highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and



schools are available, or the provision of such facilities and services has been assured.

4. All applicable standards of agencies including, but not limited, to the Township Fire Department, Michigan Department of Transportation, Leelanau County Road Commission, Leelanau County Drain Commission, Health Department, and the Michigan Department of Environmental Quality (MDEQ) have been met.
5. Compliance with all non- zoning ordinances adopted by the Township, including, but not limited to the private road ordinance.
6. All buildings and structures shall be designed, constructed, operated, and maintained so as to be harmonious, compatible, and appropriate in appearance with the existing or intended character of the general vicinity.
7. The buildings, structures, and entryway thereto proposed are situated, designed, and screened/buffered so as to minimize any adverse effects upon owners and occupants of adjacent properties and the neighborhood.
8. All buildings and structures are accessible to emergency vehicles.
9. Complete and safe pedestrian, non-motorized and vehicular circulation is provided.
10. The percentage of impervious surface has been limited on the site to the extent practicable.
11. Efforts have been made to protect the natural environment to the greatest extent possible.
12. There exists within the site plan sufficient protection to accommodate storm water runoff on the site location.
13. The proposal furthers the goals and objectives of the Master Plan.

Prior to issuing a decision on the Site Plan Review, it is recommended that they examine Section 8.6(C) and determine what would be sufficient for an As-Built Plan. For convenience, said section is included below.

- A. As-Built Site Plan Required. Upon completion of all proposed improvements as shown on the approved site plan, the property owner shall submit an “as-built” site plan certified by the preparer at least one week prior to the anticipated occupancy.
1. The Zoning Administrator and any other Township officials, as necessary, shall review the “as-built” plan for conformity with the approved site plan.



2. If determined that the “as-built” plan is in compliance with the approved site plan, the Zoning Administrator shall make a final inspection of the site and compare conditions to the as-built site plan.
3. Where changes due to non-compliance with the approved site plan are identified requiring Planning Commission review, such review shall proceed in accordance with Section 8.7 of this Ordinance.
4. The approved as-built plan shall be signed and dated by the Zoning Administrator and shall be filed with the permanent land use records of the Township.

3/1 ZA Note: prior to issuing a decision, I would encourage the PC to confirm and likely condition the parking spaces (see above language regarding parking in the ZO and ZA notes (pgs. 8&9)).

---

If the Commission finds that the requirements have been met and/or can be met with conditions, the following motion may be used:

Motion to approve SPR 2022-01, Kaiser Building, 13360 S West-Bay Shore Drive (Parcel No. 004-033-087-00. This Motion is based upon the previously found Findings of Fact that specify the basis for the decision, along with the following Conditions:

- 1)
- 2)
- 3)
- 4)



CHARTER TOWNSHIP OF ELMWOOD  
PLANNING COMMISSION BYLAWS

The name shall be the Charter Township of Elmwood Planning Commission, known as the "Commission."

These Bylaws are adopted by the Commission to facilitate the performance of its functions as described in the Michigan Planning Enabling Act, (M.C.L.125.3801 et seq.), the Michigan Zoning Enabling Act, (M.C.L.125.3101 et seq.), the Charter Township of Elmwood Planning Commission Ordinance of 2015 and the Charter Township of Elmwood Zoning Ordinance.

If these Bylaws conflict with any of the foregoing statutes, or otherwise conflict with Michigan and Federal Law, then Michigan or Federal Law shall control.

1. Membership

- A. Members of the commission are appointed by the Charter Township of Elmwood Board of Trustees pursuant to the Charter Township of Elmwood Planning Commission Ordinance of 2015 and as that ordinance may be amended in the future.
- B. Liaisons. The purpose of liaisons is to allow certain persons, selected by the planning commission for their expertise on a specific matter(s) that require action by the commission who are associated with the Township, to communicate with the Commission at any time. Liaisons, who are not already Commission members, cannot vote or take any action of a Commission member.

2. Attendance. If any member of Commission is absent without notification from three consecutively scheduled meetings, then that member shall be considered delinquent. Delinquency may be grounds for the Township Board to remove the member from the Commission. The Commission Secretary or his/her designee, shall keep attendance records and notify the Township Board of any Commission member who is absent from three consecutively scheduled meetings so the Township Board may consider removal of the individual from the Commission or may excuse the absence(s).

3. Training.

Unless otherwise specified by the Charter Township of Elmwood Board of Trustees, each Commission member shall attend at least 3 hours of training in planning and zoning during the member's current term of office. The member shall obtain preliminary approval for attendance to a training. Once the member provides proof of attendance, the Township may reimburse the member for the training fee and mileage, as per Township Board policy.

4. Conflicts of Interest

- A. Each Commission member shall avoid conflicts of interest. As used here, a conflict of interest shall include, but is not limited to, the following:



1. Participating in a case concerning the member.
2. Participating in a case relating to land that is within 300 feet of land owned by the member.
3. Participating in a case in which the member may have a financial interest. This includes and is not limited to a business entity in which the member has an ownership or financial interest.
4. Participating in a case concerning a member's spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents-in-law, grandparents-in-law, or other residents of the member's household or concerning land that is within 300 feet of any of these persons.
5. Participating in a case where a member's employee or employer is:
  - (a) an applicant or agent for an applicant, or
  - (b) has a financial interest in the outcome. or
  - (c) has an interest in land that is within 300 feet of the land which is the subject Commission action.

B. If there is a question whether a conflict of interest exists or not, the question shall be addressed to the Township Attorney, if deemed necessary by either the Township Clerk or Supervisor, in advance of the meeting. Members have an obligation to determine in advance of a meeting whether a conflict of interest may arise when such circumstances are reasonably foreseeable.

C. When a determination is made that a conflict of interest exists, the member of the Commission shall do all of the following immediately:

1. declare that a conflict exists at the meeting of the Commission;
2. when the matter arises regarding which the conflict of interest exists, the member shall leave the table at which Commission members sit. The member may be part of the audience or leave the Commission room. When a conflict of interest exists, a member does not lose his or her right to speak as a citizen and provide such facts or opinions as could any other citizen. However, any such member shall not use the member's appointment to the Commission or relationship with Commission members to improperly influence the decision of the Commission.

#### 5. Incompatibility of Office

If a member of the Commission is appointed to another office, which may be incompatible office with his or her membership on the Commission, then the member shall ask the Township Clerk or Supervisor to obtain an opinion from the Township Attorney regarding whether an incompatibility of office exists and what action, if any, the member should take to comply with the law.

#### 6. Additional duties of all members.

##### A. Ex Parte Contact

Ex Parte contact shall mean actively obtaining and discussing facts or opinions regarding a matter with an individual that is being considered or will be considered by the Commission outside of a Commission meeting at which the matter is on the Commission agenda. Ex Parte



contact does not include obtaining legal or planning advice from the Township Attorney, Planner or another Planning Consultant to the Township.

1. Members shall avoid Ex Parte contact about cases and issues where an administrative or discretionary decision is before or anticipated to be before the Commission.
2. Despite one's best efforts, it is sometimes not possible to avoid Ex Parte contact. When that happens, the member should attempt to take detailed notes on what was said and report same to the Commission at the next public meeting or hearing, so that every member and other interested parties are made aware of what was said.
3. Unsolicited ex parte contact shall be referred to the entire commission at a regular meeting.

B. Site Inspections.

Site inspections may take place as follows:

1. By the Planner who shall make a written or an oral report of the site inspection to the Commission at a Commission meeting and with such supporting documentation, including drawings or photographs, as are appropriate for the circumstances.
2. By individual or not more than three Commission members. It is recommended that the Planner shall accompany any such Commission members. Ex Parte contact with any interested party regarding the case should be avoided.
3. By the Commission members as part of properly noticed Commission meeting. Any such on-site inspection is part of the Commission meeting and a detailed record shall be made of the site inspection including minutes as required by law for any public meeting.

C. Not Voting On the Same Issue Twice.

Commission members shall avoid situations where they are sitting in judgment and voting on a decision of which they already had a part in making. As used here, this shall include, but not necessarily be limited to, the following:

1. When an appeal of a zoning decision made by the Commission comes before the Zoning Board of Appeals, a person who sits on both bodies should not vote a second time.
2. When an appeal of a decision made by the Commission comes before the Township Board of Trustees or was sent by the Board back to the Commission, then any person who sits on both of these bodies and has already voted on this issue in one of these bodies should not vote a second time.
3. This provision regarding not voting on the same issue twice may only be altered after a legal opinion from the Township Attorney.
4. This provision does not prohibit a member, who is also a member of the Charter Township Board of Trustees, from voting on a Planning Commission recommendation to the Charter Township Board of Trustees and then voting on the recommendation when the matter comes before the Charter Township Board of Trustees.



D. Accepting gifts.

1. Gifts shall not be accepted by a member of the Commission or liaisons from anyone connected with an agenda item before the Commission.
2. As used here, gifts shall mean cash, any tangible item or service, regardless of value, and food valued over \$10.
3. This section does not apply to the Commission accepting gifts for the exercise of its functions pursuant to M.C.L. 125.3823(3), §23(3) of the Michigan Planning Enabling Act.

E. Philosophy of the Commission.

1. Free and open discussion and deliberation should take place on issues before the Commission. Such discussion and deliberation shall only occur at meetings of the Commission and shall conform to all provisions of Public Act No. 267 of 1976, as amended, being the Michigan's Open Meeting Act, the Open Meetings Act (M.C.L. 15.261 et seq.), hereinafter known as the "Open Meetings Act."
2. All actions of the Commission members in the performance of their duties, as well as deliberations and decisions of the Commission, shall avoid any appearance of impropriety. It is a goal of the Commission to foster integrity in the actions of the Planning Commission and its members and to foster public respect for those actions.

F. Contact with Township Attorney.

Unless the Township Supervisor or Township Board of Trustees adopts a different policy, a Commission member shall direct all communications to the Township Attorney through the Planner. This provision shall not prohibit a member from replying to a request or communication that has been initiated by the Township Attorney.

7. Officers.

- A. Selection. At the regular meeting in January of each year, the Commission shall select, from its membership, a Chair, Vice-Chair, and Secretary. All officers are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. In the event the office of the Secretary becomes vacant, the Commission shall select a successor to the office for the remainder of the term.
- B. Tenure. The Chair, Vice-Chair and Secretary shall take office at the next meeting following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
- C. Commission Chair's Duties. The Chair retains their ability to discuss, make motions, and vote on issues before the Commission. The Chair shall:
  1. Preside at all meetings with all powers under parliamentary procedure;



2. Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, gender, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not about the topic before the Commission;
3. Restate all motions as pursuant to Section 8.F.1 of these Bylaws;
4. Appoint sub-committees;
5. Appoint officers of committees or choose to let the committees select their own officers.
6. Call special meetings pursuant to section 8.B of these Bylaws;
7. Act as member and Chair of the Executive Committee pursuant to Section 8.A of these Bylaws;
8. Act as an Ex-Officio member of all committees of the Commission;
9. Appoint an Ad-hoc Secretary in the event the Secretary is absent from a Commission meeting, if necessary;
10. Review, with the Planner, prior to a Commission meeting, the items to be on the agenda if the Chair so chooses;
11. Periodically meet with the Planner to review planning operations and procedures, and to monitor progress on various projects;
12. At the invitation of the Township Supervisor, the Chair may participate in the interview and selection process for a Planner;
13. Act as the Commission's chief spokesperson representing the Commission at local, regional, and state government levels; and
14. Perform such other duties as the Chair shall deem necessary for the sufficient operation of the Commission.

D. Vice-Chair Duties. The Vice-Chair shall:

1. Act in the capacity of Chair, with all the powers and duties found in Section 7.C of these Rules, in the Chair's absence;
2. Act as member and Vice-Chair of the Executive Committee pursuant to Section 11.A of these Bylaws; and
3. Perform such other duties as may be ordered by the Commission.

E. Secretary's Duties. The Secretary shall unless otherwise delegated:

1. Execute documents in the name of the Commission;
2. Be responsible for the minutes of each meeting, pursuant to Section 6 of these Bylaws if there is not a Recording Secretary;
3. Keep attendance records pursuant to Section 2 of these Bylaws;
4. Act as member and Secretary of the Executive Committee pursuant to Section 11.A of these Bylaws;
5. Perform such other duties as may be ordered by the Commission;
6. Call the roll and roll call votes by the Commission unless delegated to the Recording Secretary.
7. Keep a record of all motions made by the Commission and track compliance of same; and
8. During public hearings, perform the duties contained in Appendix "B" to these Bylaws unless any such duties have been assigned by the Chair to the Recording Secretary.



F. Recording Secretary's Duties. The Recording Secretary shall be employed by the Township and shall not be a member of the Commission or any of its committees. Duties will include:

1. At each meeting, take notes for minutes and prepare a first draft of minutes pursuant to Section 9 of these Bylaws for review and signature by the Secretary (if meeting minutes are disputed, interpretations or correction of the minutes shall be made by the Commission).
2. If assigned to work during a public hearing, perform the duties contained in Appendix "B" to these Bylaws.
3. Such other duties of the Commission Secretary as shall be assigned by the Chair or Secretary.

8. Meetings.

A. Regular meetings. Regular meetings of the Commission will be held on the third Tuesday of every month, or as determined at the first of the year by the Planning Commission. Regular meetings are to be held at 7 p.m. at the Elmwood Charter Township Hall, 10090 E. Lincoln Rd., Traverse City Michigan 49684. When the regular meeting day falls on a legal holiday or general/special election, the Commission shall select a suitable alternate day in the same month. An annual notice of regularly scheduled Commission meetings shall comply with the Open Meetings Act.

B. Special Meetings. Special meetings shall be called in the following manner:

1. By the Chair;
2. By any two members of the Commission; and
3. By the Chair at the request of an applicant for business authorized by the Charter Township of Elmwood Zoning Ordinance or the laws of the State of Michigan, upon payment of a non-refundable fee to cover costs of the special meeting as set forth in Elmwood Township fee schedule, Charter Township of Elmwood Ordinance 96-121, November 25, 1996. Notice of special meetings shall comply with the Open Meetings Act.

C. Workshop Meetings.

The purpose of a workshop meeting is for the Planning Commission to discuss a topic with no motion being made except to move the topic to a regular or special meeting for action. No applications shall be considered at a workshop meeting.

Workshop meetings shall be called in the following manner:

1. By the Chair;
2. By any two members of the Commission

D. Recess. The Chair, or the Commission, after the meeting has been in session for two hours (not including site inspections), shall evaluate the remaining items on the agenda and decide whether to finish that meeting's agenda, may act to continue the meeting on another day (fix the time at which to adjourn), complete some agenda items and continue the meeting on



another day to complete other agenda items, or postpone certain agenda items to the next meeting.

- E. Quorum. More than half the total number of current seats for members of the Commission, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Commission. Whenever a quorum is not present at a regular or special meeting, those present shall not take official action, except for closing the meeting.
- F. Motions.
  - 1. All members of the Commission may make, second a motion or offer an amendment. Motions shall be restated by the Chair before a vote is taken.
  - 2. Findings of Fact. All discretionary decisions including, but not limited to, special use permits, site plan review, planned unit developments, review and submission on another municipality's proposed plan, review and submission on a capital improvement, decisions that involve the application of facts to standards contained in the zoning ordinance or to standards or factors otherwise required by law shall include each of the following parts:
    - (a.) Findings of Fact that describes those facts and other information upon which the Commission is using as a basis for its decision;
    - (b.) Conclusions regarding whether the facts adopted by the Commission meet or do not meet the standards or factors that the Commission must apply by law in reaching its decision;
    - (c.) The Commission's decision, action; recommendation or position, approval, approval with conditions, or disapproval;
- G. Voting. Voting shall be by voice or roll call, and shall be recorded as passing or failing. Roll call votes will be used only upon request by a member of the Commission and shall be recorded by "aye" or "nay". Members must be present to cast a vote. Voting by proxy shall not occur. The affirmative vote of a majority of those present, assuming a quorum is present, shall be necessary for the adoption of motions unless otherwise required by these Bylaws.
- H. Commission Action. Action by the Commission on any matter on which a hearing is held shall not be taken until the hearing has been concluded.
- I. Parliamentary Procedure. Parliamentary procedure, State, and Federal Law, shall guide Commission meetings. The Commission meetings shall then be governed by the most recent edition of Roberts Rules of Order, unless superseded by State or Federal Law, for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than Robert's Rules of Order, then these Bylaws control.



- J. Public Participation. Public comments shall be provided as required by the Michigan Open Meetings Act and shall comply with the rules below.
1. Limited Public Comment shall be near the beginning of the agenda. Limited public comments shall be limited to items that are on the agenda but do not have a public hearing. Comments shall be limited to 3 minutes.
  2. Extended Public Comment shall be near the end of the agenda. Members of the public may speak to any issues and shall be limited to 2 minutes.
  3. Public Comment during a Public Hearing shall be limited to the topic subject in the Public Hearing. Comments shall be limited to 3 minutes. If a member of the public is speaking to items not subject of the public hearing, they will be asked to provide comment during extended public comment. Also see Appendix A.
  4. The public is encouraged to state their name and address, if they are a resident, property owners or business owner but are not required to do so in order to speak.
  5. The public shall be limited to one turn during each of the opportunities for public comment. If they chose to read a letter or speak on some else's behalf, that shall count as their opportunity to speak and will not be permitted to speak again during the same public comments portion of the agenda.
  6. Letter submitted to the Planning Commission will be kept on file but will not be incorporated into the official minutes of the Planning Commission. Written public comment received 8 business days prior to the meeting will be placed in the Commissioner's packet. Written correspondence received after, will be distributed to the Commissioner's the night of the meeting. Written communication presented at a scheduled meeting not included in the meeting packet of the Planning Commission shall be recorded in a list with the following pieces of information; date received, topic, submitter's name and address by the Chair during Chair's comments.
  7. Public comment is for the public to provide their thoughts and comments to the Commission and not for an open dialogue between the Commission and the public. Commissioners shall refrain from making comments during the public comment periods and hold comments and questions until the public comment portion has been closed.
  8. Based upon the anticipated amount of public comment, the complexity of the matter being considered and the number of items on the agenda, the Chair may alter the amount of time allowed for each person wishing to make public comment at a Commission meeting than are otherwise provided in these Bylaws. If the Commission disagrees with the time limitations set by the Chair, the Commission may vote to set different time limitations based on the same factors that are to be considered by the Chair.
- K. Order of Business.  
The Planner and Commission Chair shall prepare an Agenda for each meeting. See appendix for agenda order.
- L. Delivery of Agenda. The agenda and accompanying materials shall be made available in Commissioner's mail boxes or delivered electronically to Commission members a minimum of a week prior to the regular scheduled meeting.



M. Placement of Items on the Agenda.

1. The Planner shall be the officer of record for the Commission.
2. The Planner may receive items on behalf of the Commission between the time of the adjournment of the previous Commission meeting and eight calendar days prior to the next regularly scheduled Commission meeting.
3. The deadline to add items that are not governed by other zoning procedures can be submitted to the Planning Commission no later than the first Friday of the month to be included in the regular meeting packet.

N. Alteration of Agenda.

Subject to the limitations of the Open Meetings Act, the Commission may alter the agenda by a majority vote of those present.

O. Burden of Proof.

Unless otherwise required by law, when an application is for a discretionary decision that involves a determination by the Commission that the facts related to the application comply with standards contained in the zoning ordinance, the burden is on the applicant to show, by a preponderance of the evidence, that the application complies with the zoning ordinance standards.

P. Consent Calendar.

The purpose of the Consent calendar is to expedite business by grouping non-controversial items together to be dealt with in one Board motion without discussion. Any member of the Board, staff or the public may ask that any item on the Consent Calendar be removed there from and placed elsewhere on the Agenda for full discussion. Such requests will be automatically respected.

9. Minutes and Record.

The Commission Secretary shall keep, or cause to be kept, a record of Commission meetings which shall contain (at a minimum) a brief synopsis of the meeting, including a complete restatement of all motions and a recording of votes, including votes by individual members on roll call votes; complete statements of the conditions or recommendations made on any action; and a recording of attendance. All communications, actions, and resolutions shall be attached to the minutes.

10. Records Retention. Commission records shall be preserved as required by the State of Michigan retention policy.



11. Committees.

- A. Executive Committee. The Executive Committee shall be a standing committee of the Commission. Its membership shall be the Chair, Vice-Chair, and Secretary of the Commission and they shall hold the same offices on this committee. The Executive Committee may deal with recommendations to the Commission on matters of the Commission budget, and anything else directed to the Executive Committee by the Commission.
- B. Ad Hoc Committees. The Commission or Chair may establish and appoint Ad-hoc committees for special purposes or issues, as deemed necessary. A quorum of the Commission may not serve on an ad hoc committee at any given time.
- C. Citizen Committees. The Commission may establish and appoint citizen committees. Membership can be any number, so long as less than a quorum of the Commission serves on a citizen committee at any given time. The purpose of the citizen committee is to have more citizen and involvement in municipal government, to be able to use individuals who are knowledgeable or expert in the particular issue before the Commission, and to better represent various interest groups in the Charter Township of Elmwood.

12. Rules of Procedure for All Committees.

- A. Subservient to the Commission. All committees are subservient to the Commission and their recommendations to the Commission are advisory only.
- B. Same Principles. The same principles of these Bylaws for the Commission also apply to all committees of the Commission including, but not limited to:
  - 1. Officers. Officers of committees may be appointed by the Chair of the Commission at the time the committee is created, or may be elected by the committee's membership at their first meeting. Officers, at a minimum, include a Chair and Secretary/Vice-Chair.
  - 2. Quorum. A committee's quorum shall be at least half the total appointed membership of the committee.
  - 3. Voting. Only those appointed members of a committee who are present at the time of a vote shall be eligible to cast a vote.
  - 4. Attendance. If any member of a committee is absent from three consecutively scheduled meetings, then that member shall be considered delinquent. Delinquency may be grounds for the Commission to remove any member from the committee. The committee Secretary/Vice-Chair or acting Committee Secretary, in the absence of the elected committee Secretary/Vice-Chair, shall keep attendance records and notify the Commission of any committee member who is absent from three consecutively scheduled meetings so the Commission may consider removal of the individual from the committee or excuse the absence(s).
  - 5. Minutes. The Secretary/Vice-Chair of the committee shall keep minutes of the committee meetings in the same format used by the Commission. Minutes shall be sent to the planning commission for information and review.



6. Staff. Committees have reasonable use of the Planner time and assistance and direction for performing the work of the committee.
7. Public Notice. All committee meetings are open to the public, available for public attendance and public notice of committee meetings and meeting minutes shall be made available for public inspection pursuant to the Open Meetings Act.
8. Subcommittees. Citizen committees may form subcommittees from their own membership and/or with additional citizens when deemed necessary. Subcommittees are subservient to the parent committee. Subcommittees are informal, not requiring quorums, attendance requirements, minutes, or public participation. Subcommittee membership shall consist of less than half of the parent committee's membership.

13. Mileage and Per Diem.

Per diem may be paid to members of the Commission at rates established by the Charter Township of Elmwood Board of Trustees for attending Commission meetings. Mileage may be paid to members of the Commission for other authorized meetings and trips to represent the Charter Township of Elmwood.

14. Hearings. Public hearings shall be conducted as provided by law, these Bylaws, and Appendix # to these Bylaws.

- A. Plan Hearings. Whenever a public hearing on a matter is required by law, notice of the time and place of the hearing shall be given, not less than 15 days prior to such hearing, by at least one publication in the newspaper of general circulation selected by the Charter Township of Elmwood Board of Trustees. The notice shall be given by the Planner after vote of the Commission.
- B. Special Hearings. Notice of special hearings for the purposes of presenting preliminary Master Plans, obtaining public opinion on a problem, or discussion of a particular problem with interested parties will be given in the most practical manner and to persons, or group representatives most interested, and as required by the Planning Enabling Act, Zoning Enabling Act, and relevant local zoning ordinance. (See Public Hearing procedure in Appendix B).

15. Laws Related to Planning Commission- Understanding Applicable Law.

The Commission has been granted powers authorized by the Charter Township of Elmwood's Planning Commission Ordinance of 2009, the Michigan Zoning Enabling Act, the Michigan Planning Enabling Act and the Charter Township of Elmwood Zoning Ordinance, as amended. It is the responsibility of Planning Commissioners to understand those laws, as well as court decisions, as they relate to the duties of the Commission.



16. Other matters to be considered by the Commission.

The following matters may be presented for consideration at the March meeting of the Commission or as appropriate throughout the year:

- A. At least annually, the adoption of priorities for the Commission's plan of work;
- B. Annually, preparation of an annual report of the Commission;
- C. The general character, extent, and layout of the re-planning and redevelopment of blighted areas;
- D. All planning reports and plans before publication;
- E. A report of the Planner regarding the proposed budget for the Commission for the next fiscal year, with direction to submit it to the Charter Township of Elmwood Board of Trustees for approval;
- F. Such other matters as the Township Supervisor or Planner shall find advisable or essential to receive consideration by the Commission.

17. Adoption, Repeal, Amendments.

- A. Upon adoption of these Bylaws on June 4, 2020, they shall become effective and all previous Bylaws shall be repealed.
- B. The Commission may suspend any of these Bylaws for the duration of not more than one agenda item or meeting.
- C. These Bylaws may be amended at any regular or special meeting by a two-thirds (2/3) vote of the Commission.



## Appendix A

### Regular Meeting Agenda- May be modified as needed.

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Limited Public Comment-Items on the agenda
- E. Agenda Modifications/Approval
- F. Minutes
- G. Consent Calendar
- H. Declaration of Conflict of Interest
- I. Old Business
- J. New Business
- K. Comments from the Chair
- L. Comments from the Planning Commissioners
- M. Comments from the Staff
- N. Public Comment
- O. Adjourn

### Special Meeting Agenda- May be modified as needed.

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Limited Public Comment-Items on the agenda
- E. Agenda Modifications/Approval
- F. Declaration of Conflict of Interest
- G. Purpose of the Special Meeting
- H. Comments from the Chair
- I. Comments from the Planning Commissioners
- J. Comments from the Staff
- K. Public Comment
- L. Adjourn

### Workshop Meeting Agenda- May be modified as needed.

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- E. Agenda Modifications/Approval
- F. Declaration of Conflict of Interest
- G. Purpose of the Meeting
- H. Public Comment
- I. Adjourn



## APPENDIX B

### STATEMENT PRIOR TO PUBLIC HEARING

This Public Hearing to receive public input on the following matter, \_\_\_\_\_ (Specify the complete title of the matter requiring the Public Hearing) in accordance with the official notice, is now open. The Elmwood Township Planning Commission would like to make it clear that it is bound by rules and laws and that these will be followed when weighing the case. In order to conduct the hearing within a reasonable time and to keep the subject at hand, you are asked to observe the following rules:

- The applicant will state his/her case fully and furnish the Commission with pertinent information concerning the property.
- Township staff input, if any, will then be provided.
- Those wishing to speak for, against, or about the proposal will be heard.
- The public is encouraged to state their name and address, if they are a resident, property owners or business owner but are not required to do so in order to speak. Please refrain from repeating what has been said before, and please do not involve personalities.
- Each speaker will be limited to (3) three minutes enforced by the Vice-Chairperson or Secretary in his/her absence.
- Be specific as possible.
- All statements or questions must be directed to the Chairperson.

Once the public hearing is concluded, the Commission will undertake its deliberations and make a decision during the regular meeting. During its deliberations, Commission members may ask questions of any person in attendance. Of course, you are not required to answer any question, but answering could be helpful to the Commission. Any such questions and answers do not reopen public comment. The matter may be tables or continued if more information is needed to make an informed decision. If the zoning ordinance allows the Commission to make a decision, then the matter may be approved, denied or approved with conditions. The decision may be delayed or postponed for cause as determined by the Commission members.

#### AMENDMENT PROCESS-

A rezoning or proposed amendment to the Zoning Ordinance will proceed with the Commission's recommendation being forwarded to the Leelanau County Planning Commission, which has 30 days to make a recommendation on the matter, and then to the Township Board which will the final determination to approve, not approve, or modify the matter. If the Township Board recommends a modification, the matter may be sent back to the Commission for input and another Public Hearing, if necessary.

#### SPECIAL USE PROCESS-

A special use will have at least one Public Hearing by the Commission, and the final determination will be made by the Commission.



### HEARING PROCEDURE FOLLOWING INITIAL STATEMENT

- The applicant will be asked to present the proposal, and any Township staff reports will be given and answers provided to technical questions of the Commission.
- Individuals wishing to speak regarding the subject of the hearing shall be recognized by the Chairperson.
- The Chairperson may restrict each speaker to three (3) minutes or to a lesser time as authorized by the Commission's bylaws so that all may be heard. The Commission will consider all comments or suggestions. Irrelevant and off the subject comments will be ruled out of order.
- The Chairperson may, within reasonable limits, allow questions through the Chair. The Commission should refrain from debating or arguing the person commenting. The function of the hearing is to gather facts, not to carry on an adversarial discussion.
- The Chairperson should upon his/her motion or the motion of any member, announce the close of the public portion of the hearing, or announce the continuation of the Public Hearing to another specified time and date, if the hour is over or additional pertinent information must be obtained.
- The Commission shall return to the regular meeting and deliberate on the matter. All deliberations will be conducted in the open public meeting.

HEARING RECORDS. A record of the hearing will typically contain the following:

- The applicant's request on a properly completed form.
- The records of any action of this request by an administrative official or body, including all past records regarding the property such as an earlier request for variance, special land use approval, or a record of nonconforming status.
- Records that verify due notice to the appropriate parties and to neighboring property owners has been given. Any newspaper notice and the affidavit of publishing thereof must also be retained.
- Any relevant maps, drawings, or photographs presented as evidence, or as a part of the application, and copies of any correspondence received or sent without regards to the request/
- A record of all public input made at the hearing. Included but not limited to the commenter's name, address, community affiliation and copies of exhibits presented at the comment portion of the meeting.
- A record of what the hearing body saw on any site inspection made to the property in question, and a summary of any conversations between the hearing body and parties with an interest in the application.
- A copy of a reference to relevant ordinance requirements.



- The Findings of Fact, the conclusions reached, and the recommendation or decision made on the request by the Commission. The decision must be in writing and include all conditions that may be associated with the decision.
- A copy of any other correspondence to or from the petitioner regarding the decision.

**MOTIONS.** Motions shall be stated by the Chairperson before a vote is taken. The name of the makers and supporters of the motions shall be recorded.

**VOTING.** An affirmative vote of the majority of those Commission members present for the conduct of business shall be required for the approval of any motion placed before the Commission, except as otherwise required under Section 5.F of these Rules. Voting shall ordinarily be voice vote provided. However, a roll call vote shall be required if requested by any Commission members or directed by the Chairperson. All members of the Commission, including the Chairperson, shall vote on all matters, but the Chairperson shall vote last. Any member may be excused from voting only if that person has a bonafide conflict of interest as recognized by the majority of the remaining members of the Commission present. Any member abstaining from a vote shall not participate in the discussion of that item.



## APPENDIX C

Minutes and Record. The Commission Secretary shall keep, or cause to be kept, a record of Commission meetings, which shall, at a minimum, include an indication of the following:

1. Copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act, M.C.L. 15.261 et seq.)
2. Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence or occurrence:
  - a. Time and place the meeting was called to order;
  - b. Attendance;
  - c. Indication of others present (listing names if others choose to sign in and/or a count of those present);
  - d. Summary or test of points of all reports (including reports of what was seen and discussed at a site inspection) given at the meeting, and who gave the report and in what capacity. An alternative is to attach a copy of the report, if offered, in writing;
  - e. Summary of all points made in public participation, or at a hearing, by the applicant, officials, and guests and an indication of who made the comments. An alternative is to attach a copy of the public's statement, petition, or letter, if it is provided, in written form;
  - f. Full text of all motions introduced, whether seconded or notify who made the motion and who seconded the motion. For each motion, the following should be included in the application's official file or the meeting minutes.
    - i. Who testified and a brief summary of what was said.
    - ii. A statement of what is being approved (e.g. special use permit, variance, conditional use permit, subdivision, land division, etc.)
    - iii. The location of the property involved (tax parcel number and legal description is recommended).
    - iv. Any changes to the application or supporting documents either consented to or made by the applicant or an authorized representative of the applicant.
    - v. What exhibits were submitted (list each one, describe each, number or letter each and refer to the letter or number in the minutes)
    - vi. What evidence was considered (summary of discussion by members at the meeting).
    - vii. The Administrative body's Finding of Fact
    - viii. The decision (e.g. approve, deny, approve with modifications) and the reason for the decision made. (If the action is to deny, then each reason should refer to a section of an ordinance which would be violated or compliance was not met).
  - ix. A list of all requirements (and if they are to be built up-front or name the type of performance security to be used), if any.
    - g. List of community members that provided Public Comment and the agenda item they were addressing.







02.08.22

Ms. Sarah Clarren  
Planner and Zoning Administrator  
Elmwood Township  
10090 E Lincoln Rd  
Traverse City, MI 49684

**Re: Traverse City Whiskey Co. – Special Use Permit extension request  
9440 S. Center Highway  
Traverse City, Michigan 49684**

Dear Ms. Clarren,

Traverse City Whiskey Co. (TCWC) was granted a Special Use Permit last year at the June 2021 Planning Commission meeting to operate a tasting room in an A-R zone as part of their distilling operations at the former cherry processing plant at 9440 South Center Highway. Since that time, TCWC and our design team have been working diligently on more detailed construction documentation for the project.

A variety of circumstances all directly due to the ongoing pandemic, from staffing capacity on both the owner and design team sides to changes in construction materials leading to revisions in several systems and specifications, have delayed our work, and we now expect to issue for bids and construction this summer of 2022. We are concerned that the timing of this construction start is quite close to when the Special Use Permit will expire in June 2022. Per Ordinance Section 9.5.C, we are respectfully asking the Planning Commission for a one-year extension to the Special Use Permit, as these pandemic-related delays were beyond our control.

On behalf of Traverse City Whiskey Company and our design team, thank you for your time and consideration. We seek to be a valuable and responsible asset to the area, and we're excited to work with the Township on this project.

Sincerely,  
MATHISON | MATHISON ARCHITECTS



Megan Feenstra Wall  
Principal



